

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.34029 of 2017

V.Chidambara Bharathi
S/o.C.Vadivelu

.. Petitioner

Vs.

1. The Superintending Engineer
Tamil Nadu Electricity Board
TANGEDCO, Tiruppur.
 2. The Assistant Engineer
TANGEDCO
Tiruppur Electricity Distribution Circle
Ganapathy Palayam, Tiruppur-641605.
 3. The Assistant Accounts Officer
Revenue Division, TNEB,
Tiruppur.
- .. Respondents

Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents herein to refund the petitioner's deposits pertaining to three service Account Nos.213-004-280; 213-004-320; and 213-004-321 together with interest based on the representation of the petitioner to the second respondent herein on 1.12.2014 and subsequent to repeated representations within a stipulated time.

For Petitioner : Mr.M.Balasubramanian
For all Respondents : Mr.S.K.Rameshwar
standing counsel

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O R D E R

Mr.S.K.Rameshwar, learned standing counsel takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for mandamus directing the respondents to refund the deposit made pertaining to three service Account Nos.213-004-280; 213-004-320; and 213-004-321

together with interest, based on his representation dated 01.12.2014 made to the second respondent.

3. The petitioner claims for refund of the deposit made in respect of the three service connections on the reason that the respective units were closed by the petitioner and also by claiming that the petitioner is not having any arrears of electricity charges payable to the Department.

4. This Court, at this stage, is not expressing any view with regard to the claim made by the petitioner for refund of deposit, as it is for the second respondent to consider and decide on merits and in accordance with law. As it is stated that the petitioner has made representation as early as on 01.12.2014, followed by another representation on 01.08.2017 before the second respondent, this writ petition is disposed of, only with a direction to the second respondent to consider those representations and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to the petitioner. Such exercise shall be done by the second respondent within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintending Engineer
Tamil Nadu Electricity Board
TANGEDCO, Tiruppur.
2. The Assistant Engineer
TANGEDCO
Tiruppur Electricity Distribution Circle
Ganapathy Palayam, Tiruppur-641605.
3. The Assistant Accounts Officer
Revenue Division, TNEB,
Tiruppur.

+1cc to Mr.M.Balasubramanian, Advocate, S.R.No.254

W.P.No.34029 of 2017

SSI(CO)
CS/24/01/18